

**U.S. ENVIRONMENTAL PROTECTION AGENCY
\$250,000 EMERGENCY ACTION MEMORANDUM**

Date: April, 3, 2014

Subject: Lyndell Bell Road Drum
Manchester, Coffee County, Tennessee

From: Steve Spurlin, On-Scene Coordinator
Emergency Response and Removal Branch

Thru: James Webster, Chief
Emergency Response & Removal Branch

To: Regional Emergency Operations Center, 4SD-ERRB
Tennessee Department of Environmental & Conservation
Site File

I. PURPOSE

The purpose of this memorandum is to document the decision to initiate emergency response actions described herein for the Lyndell Bell Road Drum Site (the Site) located in Manchester, Coffee County, Tennessee, pursuant to the On-Scene Coordinator's delegated authority under CERCLA Section 104.

II. SITE INFORMATION

A. Site Description

Site Name: Lyndell Bell Road Drum Site
Superfund Site Identification: B43F
NRC Case No.: 1077950
CERCLIS ID: TNN000400644
Site Location: Manchester, Coffee County, Tennessee
Lat/Long: 35.47677/-86.18466
NPL Status: Non-NPL
Start Date: March 27, 2014

B. Background

1. Removal Site Evaluation

On March 19, 2014 Tennessee Department of Environmental & Conservation (TDEC) investigated a complaint at 420 Lyndell Bell Road, Manchester, Coffee County, Tennessee. The complaint stated that demolition waste from a house in Manchester had been disposed at this location. There is a business on this property that sells a variety of plastic drums, buckets, and containers as

well as metal drums. On March 26, 2013 while investigating the complaint regarding the demolition waste, TDEC personnel observed a “pit” that was being used to drain 55-gallon drums. There was a grate placed across the pit to facilitate this dumping. While it appeared that the drums contained some sort of food related waste, there were also a large number of other drums nearby that had a petroleum odor. TDEC noted numerous drums with flammable and corrosive warning labels, and detected the odor of solvents and petroleum at various areas of the property.

The TDEC contacted EPA On-Scene Coordinator Steve Spurlin regarding the conditions at the property. On March 27, 2014, OSC Steve Spurlin and TDEC representatives conducted a site investigation and observed numerous drums in poor condition leaking suspected oils, corrosives, and solvents. Containers with oxidizer labels were observed stored next to incompatible corrosives. Soil areas were discolored and it appeared suspected hazardous substance containing waste had been dumped or washed onto the ground. A green liquid was observed in the drainage pathway leading to Davidson Branch, a tributary to Lake Normandy. Numerous drums and containers had no lids or caps potentially allowing the release of hazardous substances onto the ground.

OSC Spurlin informed the owner that an emergency action would be necessary to address observed and potential hazardous substance releases at the Site. The property owner declined to undertake the actions. Based on the condition of the drums, totes, and buckets, improper storage, and stained soils observed within the property, the OSC determined that conditions at the Site met criteria listed under 40 CFR 300.415 for initiation of an emergency removal action.

Physical Location and Site Characteristics

The Site is located 420 Lyndell Bell Road, Manchester, Coffee County, Tennessee 37355. The Site is located in an agricultural area. The property is flat to sloping with surface drainage flowing to the nearby Davidson Branch, a tributary to Lake Normandy.

2. Release or Threatened Release into the Environment of a Hazardous Substance, or Pollutant or Contaminant

The Site is storing drums and various other containers containing hazardous substances, pollutants or contaminants. These containers are located in an agricultural area and are open to the elements. These drums contained oils, flammables, acids, and bases, organics, paints and oxidizers based on field hazardous categorization results. The drums and other containers are in close proximity to navigable waters. OSC Spurlin observed that the containers were in poor condition and numerous leaks were observed. A pit used to drain the containers was observed. Several stained soil flow paths towards the creek were observed. Incompatible chemicals are being stored together and improper storage of many containers, which contain hazardous substances and

oil, has been observed. In consideration of the presence of numerous hazardous substances and oils and the release and potential threat of a release of these materials, OSC Spurlin initiated an emergency response action at this site

III. Threats to Public Health, Welfare, or the Environment

A. Nature of Actual or Threatened Release of Hazard Substances, Pollutants or Contaminants

Multiple drums and containers of hazardous substances and oil were identified on the property. Large amounts of drums were observed in poor condition and were located near Davidson Branch. Other drums and containers were stored improperly or with incompatible chemicals. The drums and other containers were in poor condition and there was evidence of releases to the soils from the drums.

B. Applicable factors which were considered in determining the appropriateness of a removal action:

 x 300.415(b)(2)(i) "Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants."

Multiple drums and containers of oils, flammables, acids, and bases, organics, paints and oxidizers were identified on the property. Many drums and containers were stored improperly or with incompatible chemicals. Many drums and other containers were in poor condition and there was evidence of leaks. The potential existed for the drums and containers to discharge their contents onto the ground, and evidence of flow paths to Davidson Branch were observed. Davidson Branch flows into Normandy Lake which is a drinking water source for nearby communities. The owners' mother lives in a home located in the middle of the primary drum storage and processing area. The occupant, or visitors to the home, could inadvertently come into contact with hazardous substances.

 x 300.415(b)(2)(iii) "Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release."

Approximately 3100 drums and containers ranging in size from 5 gallons to 55 gallons were observed on the property. There are hazardous substances, pollutants or contaminants in many of these containers on the site. Field hazardous categorization tests indicated drums contained oils, flammables, acids, and bases, organics, paints and oxidizers. The integrity of many of these drums is questionable due to the length of time they have been in service. Some of the drums are currently leaking their contents. Others are improperly stored or stored with incompatible chemicals. In addition, trespassers or vandals could access the site and cause a release by tampering with the drums.

 x 300.415(b)(2)(v) "Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released."

The drums observed on the property were in poor condition and leaking. Many drums and containers had no lids or caps which allows rainwater into the container potentially displacing the hazardous substances and oils in the container. The drums and other containers are located outside and are within close proximity to Davidson Branch. A significant storm event could cause the contents of the drums and containers to discharge into Davidson Branch.

 x 300.415(b)(2)(vi) "Threat of fire or explosion."

One of the waste streams identified during the hazardous categorization was a flammable material. Smaller containers labeled as "Flammable" were observed on the property. Improper storage of incompatible chemicals also presents a threat of fire of explosion.

 x 300.415(b)(2)(vii) "The availability of other appropriate federal or state response mechanisms to respond to the release."

At this time there are no State mechanisms that are able to respond to this incident with the resources needed to assume the cleanup.

IV. Selected Removal Action and Estimated Cost

A. Situation and Removal Activities To Date

1. Current Situation

The drums and containers are currently being stabilized, field tested, bulked and staged for disposal. Waste samples will be collected and analyzed for waste disposal. Two soil waste piles have been generated by excavating a pit believed to contain hazardous substances as well as another suspected stained area believed to be a historical dumping site. The soil piles will also be analyzed for waste characterization and disposal.

2. Removal Activities To Date

a. Federal Government/Private Party

Based upon the condition, amount and location of the drums and containers the EPA, Superfund Technical Assessment Response Team (START), and Emergency and Rapid Response Services (ERRS) were mobilized to stabilize the Site. Emergency initial actions include the following: conducting drum inventory; sampling and hazcatting the drums and containers to determine the specific nature of the contents of the drums; stabilization of leaking drums and containers; bulking of drum contents; removal of stained soils; and staging of drums and containers for future disposal. START personnel arrived and conducted an initial drum and container inventory. Thirty one hundred (3100) drums and containers ranging in sizes from 5-55 gallons were identified. Samples were collected from the drums and a field hazardous categorization (hazcat) will be conducted to determine waste streams. ERRS excavated a

disposal pit and stained area suspected to be a waste dumping area. Soils are staged and will be analyzed for waste characterization and disposal. Leaking drums have been over packed. Drums have been segregated and prepped for sampling, hazcatting and bulking.

b. State/Local

TDEC enlisted the support of EPA Region 4. A TDEC responder was on-site during initial response actions. Any additional response actions will be coordinated and communicated to the appropriate TDEC office.

3. Enforcement

The property owner and operator is Mark Bell. Mr. Bell was issued a Notice of Federal Interest by OSC Spurlin on March 27, 2014. Additionally, on March 27, 2014, OSC Spurlin verbally notified Mr. Bell that EPA intended to undertake a response action for which he may be liable. As follow-up to that discussion, Mr. Bell was issued a Notice of Federal Assumption on March 29, 2014. EPA is document label and container information for future evaluation for enforcement purposes.

B. Planned Removal Actions

1. Proposed Action Description

Anticipated removal activities for the Site include the following:

- Preparation of a Health and Safety Plan
- Emergency stabilization of drums which may be leaking or have questionable integrity
- Sampling of drums for hazard categorization to determine the specific nature of contents of the drums
- Bulking of materials
- Removing stained soils
- Providing analytical for disposal profiling
- Providing off-site disposal, treatment, or recycling of contents within the drums and other containers in compliance with Federal regulations included the CERCLA off-site rule
- Environmental media sampling
- Perform site restoration as appropriate

2. Contribution to Remedial Performance

The proposed actions will, to the extent practicable, contribute to the efficient performance of any long-term remedial action at the Site.

3. ARARs

Removal actions conducted under CERCLA are required to attain ARARs to the extent practicable. In determining whether compliance with ARARs is practicable, the OSC may consider appropriate factors, including the urgency of the situation and the scope of the removal action to be conducted.

The Federal ARARs identified for the site include:

☒ RCRA Land Disposal Restrictions
☒ RCRA Treatment, Storage and Disposal
☒ RCRA Transportation
☒ DOT
☒ OSHA

The State has not provided any ARARs.

4. Project Schedule

The initial emergency actions are anticipated to be completed by April 8, 2014. After the initial response actions are completed there will be a period for obtaining analytical results for waste materials, obtaining disposal bids, scheduling transportation, and conducting transport of waste offsite for proper disposal. It is anticipated these activities will be completed within the next sixty days.

C. Estimated Costs*

Contractor costs (ERRS)	\$150,000
Contractor costs (START)	\$ 50,000
Other Extramural costs	0
Contingency costs	\$ 50,000
Total Removal Project Ceiling	\$250,000

*EPA direct and indirect costs, although cost recoverable, do not count toward the Removal Ceiling for this removal action. Liable parties may be held financially responsible for costs incurred by the EPA as set forth in Section 107 of CERCLA.

V. Expected Change in the Situation Should Action be Delayed or Not Taken

A delay in action or no action at this Site would increase the actual or potential threats to the public and the environment.


VI. Outstanding Policy Issues

None

VII. Approval

This decision document represents the selected removal action for this Site, developed in accordance with CERCLA as amended, and not inconsistent with the National Contingency Plan. This decision is based on the administrative record for the site.

Conditions at the Site meet the NCP section 300.415(b) criteria for a removal and through this document I am approving the proposed removal actions. The total project ceiling is \$250,000, of which an estimated \$150,000 may be funded from the Regional removal advice of allowance.



Steve Spurlin
Federal On-Scene Coordinator

Date 4-3-2014